

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

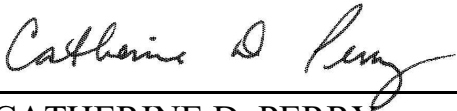
NADIST, LLC,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:06CV969 CDP
)	
THE DOE RUN RESOURCES)	
CORP., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Doe Run's motion to dismiss the State of Missouri's complaint, or in the alternative, for a more definite statement. I have carefully reviewed the parties' briefs and viewed the complaint in light of the relevant standards, and I will deny the motion. Although the State of Missouri may not ultimately prevail on its complaint, it cannot be dismissed at this stage of the proceedings. Moreover, the complaint meets federal pleading standards and cannot be considered so vague or ambiguous that Doe Run cannot file an answer. See Fed. R. Civ. P. 12(e).

Accordingly,

IT IS HEREBY ORDERED that Doe Run's motion to dismiss or in the alternative for more definite statement [#185] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 6th day of February, 2009.